

**Identifying, Dispositioning and Reporting  
Suspect/Counterfeit Items (S/CIs)**

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**REVISION HISTORY/PERIODIC REVIEW TABLE**

<b>Revision Number</b>	<b>Revision/Review Date</b>	<b>Description of Revision/Review Comments</b>
0	4/25/20	Development of procedure to capture protocol for identifying, reporting and dispositioning Suspect/Counterfeit Items (S/CIs)

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## 1.0 PURPOSE & SCOPE

This standard operating procedure (SOP) supports the Institutional Quality Assurance Program (QAP) by providing requirements to the Lawrence Berkeley National Laboratory (LBNL) staff, including affiliates, and subcontractors who perform inspection and/or tests of systems, subsystems, components, or items pertaining to the identification, documentation, disposition and reporting potential and actual suspect/counterfeit items (S/CIs).

This document will ensure consistent identification, documentation, disposition and reporting of potential and actual suspect/counterfeit items. Additional information and resources pertaining to S/CIs is located on the A&I QA and S/CI webpages.

Records generated by execution of this SOP include inspection or test results, nonconformance reports, segregation tags, documentation used to determine if an item is suspect and/or counterfeit, notifications to the Department of Energy (DOE) Office of Inspector General (OIG), Occurrence Reporting and Processing System (ORPS) reports, and Corrective Action Tracking System (CATS) entries. Records are maintained in accordance with the Lab's Archive and Records Management Policy (Document Number 10.03.001.000).

## 2.0 BASELINE & REFERENCED REQUIREMENTS

### 2.1 Baseline References

- DOE O 414.1D, Quality Assurance
- LBNL/PUB-3111, Quality Assurance Program Description (QAPD)

### 2.2 Referenced Requirements

- DOE O 221.1B, *Reporting Fraud, Waste, and Abuse to the Office of Inspection General*
- DOE O 232.2A, *Occurrence Reporting and Processing of Operations Information*;
- LBNL/PUB-5519, Issues Management Program
- Archive and Records Management Policy (Document Number 10.03.001.000)

## 3.0 ROLES & RESPONSIBILITIES

Role	Responsibilities
A&I Director	<ul style="list-style-type: none"><li>• Establish and manage a system and procedures for managing and controlling A&amp;I processes</li><li>• Participate in the document review and approval process, as needed</li></ul>
QA Program Manager or Designee	<ul style="list-style-type: none"><li>• Design, develop and maintain process documentation and tools,</li><li>• Evaluation of potential and actual S/CIs and associated documentation to determine whether items are S/CIs</li><li>• Report S/CIs, as necessary, to the OIG</li><li>• Provide QA technical guidance to the Lab community and subcontractors</li></ul>
Inspector/Tester	<ul style="list-style-type: none"><li>• Notify the responsible Project Manager, Construction Manager, and/or Engineer <b>and</b> A&amp;I QA Program Manager of potential or actual S/CIs</li><li>• Document inspection/test results, including the identification of a potential or actual S/CI.</li><li>• Segregate and/or tag S/CIs from conforming systems, subsystems, components and items</li></ul>

Role	Responsibilities
Line Organization Points-of-Contact (POCs)	<ul style="list-style-type: none"><li>• Ensure S/CI information (e.g. notices, bulletins, recalls, etc.) and actions to be taken are provided to line management and/or those who have procured and/or have S/CIs in their possession</li><li>• Ensure that the A&amp;I QA Program Manager/Designee are notified of what actions were to address the S/CIs were taken by the line organization.</li></ul>
Project Manager, Construction Manager, Responsible Engineer	<ul style="list-style-type: none"><li>• Request technical justifications for S/CI “use-as-is” and “repair” dispositions from a Technical Authority</li><li>• Ensure technical justifications provided by a Technical Authority are included in project and/or equipment files</li></ul>
Technical Authority (i.e. Professional Engineer, Authority Having Jurisdiction)	<ul style="list-style-type: none"><li>• Evaluate and document technical justifications for S/CI “use-as-is” and “repair” dispositions</li><li>• Provide technical justifications to Project Manager, Construction Manager and/or Responsible Engineer <b>and</b> A&amp;I QA Program Manager</li></ul>
Procurement Department Staff	<ul style="list-style-type: none"><li>• Process S/CI dispositions, as requested by the Project Manager, Construction Manager, and/or Responsible Engineer</li></ul>
Lab Staff, Subcontractors and Affiliates	<ul style="list-style-type: none"><li>• Provide requested information to the QA Program Manager/Designee</li></ul>
Reviewer	<ul style="list-style-type: none"><li>• Participate in the document review and approval process.</li></ul>

## 4.0 IMPLEMENTATION

### 4.1 Identifying and Segregating Suspect/Counterfeit Items

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#### **Notes:**

Foreign made items identified in a subcontract as part of work planning efforts are not subject to these requirements. NRTL stamped/marked assemblies/systems are not required to have each individual component inspected.

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During inspection and/or testing of systems, subsystems, components and review of associated quality assurance/ quality control documentation, personnel performing inspection and testing will identify:

- Items that look used, corroded, over-painted, over-stamped and/or stamps or markings that look altered, worn or manipulated;
- Items whose Nationally Recognized Testing Laboratory (NRTL) stamps are not accompanied with a product/control ID number and/or UL stamps not accompanied by the word “LISTED”;
- Graded hex bolts/fastener head markings that match the suspect/counterfeit head mark list provided by the US Department of Customs (located on the A&I Website);
- Foreign made items that are custom built, will be used in a critical system/structure, and/or will serve a critical/important function;
- Foreign made items that have other indications that the material or Certificates of Conformance paperwork is suspect; and
- Certificates of Conformance or Calibration/Analysis that cite obsolete or nonexistent consensus standards, or look like they have been manipulated or altered (Pull associated equipment/material and segregate it from acceptable material.).

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#### **Note:**

If photos are taken, they should include the markings and/or areas that are potentially suspect/counterfeit.

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The inspector/tester will document the identification of actual or potential S/CI on inspection and/or test results, including photos of the systems, subsystems and components including and/or quality-affecting documentation (e.g. purchase order, subcontract, packing slip, certificates of conformance/calibration, chain of custody, manufacturing travelers, etc.).

The inspector/tester will notify the Project Manager, Construction Manager, and/or Responsible Engineer **and** the A&I QA Program Manager/Designee of actual or potential S/CIs. The A&I QA Program Manager/Designee will determine if the item is suspect and/or counterfeit.

The inspector/tester will also ensure that the actual or potential S/CI is tagged and/or segregated from other systems, subsystems, components, equipment and/or material to prevent inadvertent use until such time as the Project Manager, Construction Manager and/or responsible engineer determines how to disposition it. An established Nonconforming Item Reporting process may be used to tag and segregate S/CIs.

#### 4.2 Reporting Suspect/Counterfeit Items

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**Note:**

LBNL reports S/CIs to the Lawrence Livermore National Laboratory (LLNL) OIG.

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The A&I QA Program Manager/Designee will review the S/CI(s) and associated documentation to determine if the item(s) are suspect and/or counterfeit. If the item(s) are suspect and/or counterfeit, the A&I QA Program Manager/Designee will notify the Project Manager, Construction Manager and/or Engineer of the determination and will report the S/CIs to their Bay Area Site Officer (BASO) counterpart and the DOE OIG in accordance with DOE 0 221. IB, *Reporting Fraud, Waste, and Abuse to the Office of Inspection General*.

The Project Manager, Construction Manager, and/or Responsible Engineer will work with the owning organization to notify the Environmental, Health and Safety (EHS) Division and ensure that the S/CI is reported in the:

1. ORPS database, in accordance with DOE 0 232.2A, *Occurrence Reporting and Processing of Operations Information*; and
2. CATS database in accordance with LBNL/PUB-5519, *Issues Management Program*.

#### 4.3 Dispositioning Suspect/Counterfeit Items

When an actual or potential S/CI is identified, the responsible Project Manager, Construction Manager and/or engineer will notify a technical authority such as a professional engineer or Authority Having Jurisdiction (AHJ) to determine the appropriate disposition (i.e. "use as is", "repair", "scrap", "replace") of the S/CI.

For "use as is" or "repair" dispositions, the technical authority will evaluate the system, subsystem, component or item and document in an engineering justification for the disposition. A copy of the documented engineering justification will be maintained in the system, subsystem, component, and/or project files, and another will be provided to the A&I QA Program Manager/Designee.

The Project Manager, Construction Manager and/or Responsible Engineer will work with the Procurement Department to ensure that the supplier that provided the actual or potential S/CI adhere to the disposition determined.

#### 4.4 Suspect/Counterfeit Items Notices

The A&I QA Program Manager/Designee may receive or obtain information (e.g. notices, bulletins, reports, webpages, etc.) from the DOE or other entities pertaining to actual or potential S/CIs that may require action be taken by line organizations to address the S/CIs. The A&I QA Program Manager/Designee may line organization POCs to identify and determine if these S/CIs have been procured and/or are in the possession of line organizations. If the S/CIs have been procured and/or are in the possession of line organizations, the A&I QA Program Manager/Designee will provide the information pertaining to these S/CIs along with the actions to be taken to the line organization POCs.

Upon taking the appropriate actions, the line organization POCs will notify the A&I QA Program Manager/Designee of the actions that were taken and any additional or follow-up actions that the line needs to take. As needed, the A&I QA Program Manager/Designee will keep the BASO counterpart apprised of the S/CI resolution.

#### 4.5 Document Review and Issuance

In order to ensure that this SOP is complete, correct and accurate prior to issuance and release, it is reviewed commensurate with the type of modification that is made. New documents and major changes to this document will be reviewed by the A&I QA Program Manager/Designee prior to issuance. Minor changes to an existing document do not need to be reviewed by the A&I QA Program Manager/Designee prior to approving it for issuance and release. No approval signatures are required to finalize and issue this document.

This SOP will be reviewed and revised, as necessary, when there is a change in requirements, policies, programs, processes, etc. and on a periodic basis to ensure that they are still complete, correct, accurate and relevant. Periodic reviews will be documented in the Revision History/Periodic Review table.

The final issued SOP is available in electronic Adobe Acrobat (.pdf) file format located on the A&I Activities Google Shared Drive and the A&I QA webpage.